

SENATE BILL 298

C3

1lr1700

By: **Senator Pipkin**

Introduced and read first time: January 31, 2011

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance – Reimbursement for Covered Services Rendered by**
3 **Telemedicine**

4 FOR the purpose of requiring certain health insurance carriers to reimburse a licensed
5 health care provider for a covered service rendered by telemedicine to an
6 insured or enrollee; requiring a covered service rendered by telemedicine to be
7 reimbursed at a certain rate; making certain provisions of this Act applicable to
8 health maintenance organizations; defining certain terms; providing for the
9 application of this Act; and generally relating to health insurance
10 reimbursement for covered services rendered by telemedicine.

11 BY adding to

12 Article – Insurance

13 Section 15–138

14 Annotated Code of Maryland

15 (2006 Replacement Volume and 2010 Supplement)

16 BY adding to

17 Article – Health – General

18 Section 19–706(kkkk)

19 Annotated Code of Maryland

20 (2009 Replacement Volume and 2010 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
22 MARYLAND, That the Laws of Maryland read as follows:

23 **Article – Insurance**

24 **15–138.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**
2 **MEANINGS INDICATED.**

3 **(2) “CARRIER” MEANS:**

4 **(I) AN INSURER;**

5 **(II) A NONPROFIT HEALTH SERVICE PLAN;**

6 **(III) A HEALTH MAINTENANCE ORGANIZATION; OR**

7 **(IV) ANY OTHER PERSON THAT PROVIDES HEALTH BENEFIT**
8 **PLANS SUBJECT TO REGULATION BY THE STATE.**

9 **(3) (I) “TELEMEDICINE” MEANS THE USE OF MEDICAL**
10 **INFORMATION EXCHANGED FROM ONE SITE TO ANOTHER VIA ELECTRONIC**
11 **COMMUNICATIONS TO IMPROVE A PATIENT’S HEALTH STATUS.**

12 **(II) “TELEMEDICINE” INCLUDES:**

13 1. **REMOTE REVIEW OF DIAGNOSTIC INFORMATION;**

14 2. **REAL-TIME, TWO-WAY AUDIO AND VIDEO**
15 **COMMUNICATION BETWEEN A HEALTH CARE PROVIDER AND A PATIENT;**

16 3. **SPECIALIST REFERRAL SERVICES;**

17 4. **PATIENT CONSULTATIONS; AND**

18 5. **REMOTE PATIENT MONITORING.**

19 **(B) THIS SECTION APPLIES TO CARRIERS THAT ISSUE OR DELIVER IN**
20 **THE STATE CONTRACTS OR POLICIES THAT PROVIDE HOSPITAL, MEDICAL, OR**
21 **SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS ON AN EXPENSE-INCURRED**
22 **BASIS.**

23 **(C) A CARRIER SUBJECT TO THIS SECTION SHALL REIMBURSE A**
24 **LICENSED HEALTH CARE PROVIDER FOR A COVERED SERVICE RENDERED BY**
25 **TELEMEDICINE TO AN INSURED OR ENROLLEE OF THE CARRIER.**

26 **(D) A COVERED SERVICE RENDERED BY TELEMEDICINE SHALL BE**
27 **REIMBURSED BY A CARRIER SUBJECT TO THIS SECTION AT THE SAME RATE**
28 **ESTABLISHED BY THE CARRIER FOR A COVERED SERVICE, RENDERED IN**

1 PERSON, THAT IS THE SAME OR SUBSTANTIALLY THE SAME AS THE COVERED
2 SERVICE RENDERED BY TELEMEDICINE.

3 **Article – Health – General**

4 19–706.

5 **(KKKK) THE PROVISIONS OF § 15–138 OF THE INSURANCE ARTICLE**
6 **APPLY TO HEALTH MAINTENANCE ORGANIZATIONS.**

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to
8 all policies and contracts issued, delivered, or renewed in the State on or after October
9 1, 2011.

10 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2011.